

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PETER SWALLOW,

Plaintiff,

v.

TOLL BROTHERS, INC.,

Defendant.

No. C 08-02311 JCS

NOTICE REGARDING CONSENT TO  
JURISDICTION OF UNITED STATES  
MAGISTRATE JUDGE

TO ALL PARTIES AND COUNSEL OF RECORD:

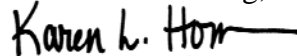
The complaint in the above-entitled action was filed on May 5, 2008. Pursuant to General Order 44, this case has been assigned to Magistrate Judge Joseph C. Spero to conduct all further proceedings and to order the entry of final judgment upon the consent of all parties in the case. A signed consent to the jurisdiction of the Magistrate Judge must be filed by both parties before Magistrate Judge Spero will consider the merits of plaintiff(s)' case or any motion filed by either party.

Defendant has filed a Motion To Compel Arbitration, and to Stay the Proceedings. Accordingly, the **Defendant** is instructed to sign and electronically file the enclosed consent or declination form within **seven (7) calendar days** of the date of this notice, indicating whether they consent to the jurisdiction of the Magistrate Judge in this matter.

If the parties do not consent, the case will be randomly assigned to a District Judge of this court.

Dated: June 9, 2008

Richard W. Wieking, Clerk



By: Karen L. Hom, Deputy Clerk

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PETER SWALLOW,

No. C 08-02311 JCS

Plaintiff(s),

**CONSENT TO PROCEED BEFORE A  
UNITED STATES MAGISTRATE JUDGE**

v.

TOLL BROTHERS, INC.,

Defendant(s).

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of Title 28, U.S.C. Section 636(c), the undersigned party in the above-captioned civil matter hereby voluntarily consents to have a United States Magistrate Judge conduct any and all further proceedings in the case, including trial, and order the entry of a final judgment. Appeal from the judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

Counsel for \_\_\_\_\_  
(Name or party or indicate "pro se")

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PETER SWALLOW,

No. C 08-02311 JCS

Plaintiff(s),

v.

TOLL BROTHERS, INC.,

Defendant(s).

**DECLINATION TO PROCEED BEFORE  
A MAGISTRATE JUDGE  
AND  
REQUEST FOR REASSIGNMENT TO A  
UNITED STATES DISTRICT JUDGE**

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

The undersigned party in the above-captioned civil matter hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Judge.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

Counsel for \_\_\_\_\_  
(Name or party or indicate "pro se")